

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JANET M. DANNER,)	
)	
Plaintiff,)	Cause No.
)	
v.)	TRIAL BY JURY DEMANDED
)	
STEAK 'N SHAKE OPERATIONS, INC.,)	
Serve: Registered Agent:)	
CSC-Lawyers Incorporating Service)	
221 Bolivar)	
Jefferson City, MO 65101)	
)	
Defendant.)	

COMPLAINT

Comes now Plaintiff and for her cause of action against Defendant, states as follows:

1. That Plaintiff is a resident of the State of Missouri.
2. That Defendant is a corporation in good standing and is a citizen of the State of Indiana.
3. That jurisdiction is proper before this Court pursuant to 28 U.S.C §1332 in that Plaintiff and Defendant are citizens of different states, and the amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs. Further, venue is proper before this Court in that the cause of action occurred in St. Louis County, Missouri.
4. That at all times mentioned herein Defendant was the owner and operator of an eating establishment known as Steak 'N Shake located at 7310 South Lindbergh Boulevard, St. Louis County, Missouri.

5. That on January 28, 2010, Plaintiff was a business invitee at the Steak 'N Shake owned and operated by Defendant, when Plaintiff slipped and fell on a greasy substance located on the floor of the Steak 'N Shake which created an unreasonably dangerous condition.

6. That Defendant knew or should have known of the unreasonably dangerous condition referenced in paragraph 5, but despite actual/constructive notice, failed to correct said condition, barricade said condition and/or warn Plaintiff of said condition, and as a result Defendant was negligence.

7. That as a direct and proximate result of the negligence of Defendant as set forth above, Plaintiff sustained serious and permanent personal injuries, including injuries to her left knee. Plaintiff has undergone medical treatment, including surgery, and has incurred and will continue to incur medical expenses, which are presently in excess of \$40,000.00, and has incurred and will continue to incur loss of income.

WHEREFORE, Plaintiff Janet M. Danner prays for judgment against Defendant Steak 'N Shake Operations, Inc., in an amount that is fair and reasonable, but in excess of Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs, for prejudgment interest, postjudgment interest, and for whatever further relief this Court deems just and proper.

/s/ Robert J. Radice

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